

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:

Thomas J. Convery, III

Debtor

Chapter: 13

Case No. 17-13533-amc

**OBJECTION OF PNC BANK, NATIONAL ASSOCIATION
TO DEBTOR'S CHAPTER 13 PLAN**

AND NOW COMES, PNC Bank, National Association ("Mortgagee"), secured creditor and mortgage lien holder on premises owned by Debtor and located at 2556 East Ann Street Philadelphia, PA 19134, by its attorneys, Udren Law Offices, P.C., who hereby avers as follows:

1. Mortgagee is a secured creditor by way of a mortgage representing a lien on Debtor's real property as set forth above.
2. Debtor filed the instant Chapter 13 Bankruptcy Petition on May 18, 2017.
3. Mortgagee filed a Proof of Claim on August 18, 2017.
4. As of the date of the filing of the instant Chapter 13 petition, the Debtor had mortgage arrears of \$45,520.34, a total debt to claim in the amount of \$190,101.08, and an ongoing post-petition payment, owed to Mortgagee, in the amount of \$862.04.
5. Debtor's proposed Chapter 13 Plan provides for payment of mortgage arrears of only \$33,804.00 and incorrectly lists the total debt to claim along with contractual payment for which is owed to Mortgagee.
6. Debtor's proposed Chapter 13 Plan does not provide for the Mortgagee to receive distributions with a value equal to the allowed amount of its claim as required by 11 U.S.C. 1325(a)(5)(B)(ii).

WHEREFORE, PNC Bank, National Association prays and respectfully requests that the Debtor be required to file an Amended Chapter 13 Plan.

By: /s/ Nicole LaBletta, Esquire

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